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Attorney Docket No.: 1009-003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

International Appl. No.: PCT/GB04/03566  
I.A. Filing Date: 08/19/2004  
Applicant(s): Tony Richards and Steve Fitz  
U.S. Application No.: 10/568,569  
Title: PROXIMITY DETECTING APPARATUS  
Confirmation No.: 6482

**Certificate of Mailing Under 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on:

Date: January 5, 2007

By: Shelley Rossman

(Typed or printed name of person mailing  
Document, whose signature appears below)

Signature: Shelley Rossman

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

**TRANSMITTAL LETTER**

Sir:

Enclosed is/are:

- [x] Transmittal Letter (this form, 2 pages, in duplicate), Total Pages: 4;
- [x] Information Disclosure Statement, Total Pages: 3;
- [x] PTO-1449 Form, Total Pages: 1;
- [x] A Copy of the cited references are enclosed except for those which qualify under 37 CFR 1.98 or Patent Office Policy, Total Hard Copies Provided: 8;
- [x] Return Receipt Pre-paid Postcard (in duplicate), Total Postcards: 2;
- [x] Authorization to charge Deposit Account No. 50-3661, if required.

Applicant hereby petitions for any extension of time which is required to maintain

U.S. Application No.: 10/568,569


Attorney Docket No.: 1009-003

- 2 -

the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3661.

If the enclosed papers or fees are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (508) 616-2900, in Westborough, Massachusetts.

Respectfully submitted,

  
James F. Thompson, Esq.  
Attorney for Applicants  
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PO Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), (If IDS Filed within three months of filing national application or date of entry of the national stage in international application; or before mailing date of first office action on the merits; whichever occurs last); or
- ☐ under 37 CFR 1.97(c) (If filed after the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
- ☐ under 37 CFR 1.97(d) (If filed after the 37 CFR 1.97(c) time period, but before payment of the Issue Fee) together with:

- a Statement under 37 CFR 1.97(e), as checked below, and
  - a \$180.00 fee under 37 CFR 1.17(p), or
- [ ] Under 37 CFR 1.97(i), applicant requests that the attached IDS and cited reference(s) be placed in the application filewrapper. (If IDS filed after payment of Issue Fee).

Statement Under 37 CFR 1.97(e)

- [ ] Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- [ ] No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Enclosed herewith is Form PTO-1449:

- [x] Copies of cited references are enclosed except for:
- [x] U.S. Patents and U.S. Patent Application Publications pursuant to 37 CFR 1.98 (a)(2)(ii);
- [ ] Unpublished U.S. Patent Applications stored in the Image File Wrapper system, pursuant to the Official Gazette Notice of October 19, 2004;
- [ ] References previously submitted to, or cited by, the Office in an earlier application, having U.S. Serial No. \_\_\_\_\_, relied upon for an earlier effective filing date under 35 USC 120, pursuant to 37 CFR 1.98(d);
- [ ] The following references, which are cumulative to other provided references: \_\_\_\_\_, pursuant to 37 CFR 1.98(c).
- [ ] A copy of the translation of any non-English-language reference is enclosed if such English translation is within the possession, custody, or control of, or is readily available to any individual designated in 37 CFR 1.56(c), pursuant to 37 CFR 1.98 (a)(3)(ii).

- ☐ Listed references were cited in the enclosed International Search Report in a counterpart foreign application.

Concise Explanation Requirement (required for non-English references):

- ☒ The "concise explanation" requirement for reference(s) under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
  - ☐ the explanation provided in the Specification, located on page(s) \_\_\_\_\_, line(s) \_\_\_\_\_.
  - ☒ submission of the enclosed International Search Report.
  - ☐ the enclosed English language abstract or translation.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☒ No fee is required for this Information Disclosure Statement.
- ☐ Enclosed is a check for \$180.00, which covers the Information Disclosure Fee.

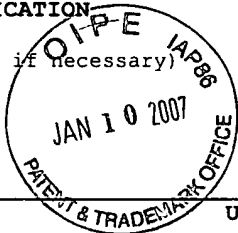
Applicant hereby petitions for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3661.

Respectfully submitted,

  
James F. Thompson, Esq.  
Attorney for Applicants  
Registration No.: 36,699  
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Dated: January 5, 2007

PTO-1449 REPRODUCED  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (Use several sheets if necessary)				ATTORNEY DOCKET NO.  1009-003		APPLICATION SERIAL NO.  10/568,569	
				APPLICANT  <b>Tony Richards and Steve Fitz</b>			
				INTERNATIONAL FILING DATE <b>08/19/2004</b>		GROUP	
U.S. PATENT DOCUMENTS							
EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE mm/dd/yy	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	AA	5357253	10/18/94	Van Ettan, et al.	342	22	04/02/93
	AB	4087816	05/02/78	Barszczewski	342	393	10/22/76
	AC	4396918	08/02/83	Wallis	342	388	03/06/81
	AD	4147973	04/03/79	Weber	324	326	12/20/76
	AE	5650726	07/22/97	Gasnier, et al.	324	339	09/22/95
	AF	5714932	02/03/98	Castellon, et al.	342	22	04/02/93
	AG	5218344	06/08/93	Ricketts	340	573.4	07/31/91
	AH	2002/140419	10/03/02	Duret	324	207.17	02/09/02
	AI	6134420	10/17/00	Flowerdew	455	41.4	01/22/98
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO
	AJ						
	AK	GB1590944	06/10/81	GB	G01S	5/02	
	AL	GB1272745	05/03/72	GB	G01S	1/22	
	AM	WO9008060	07/26/90	PCT	B63C	9/00	
	AN	GB1257692	12/22/71	GB	H04B	5/00	
	AO	DE3719179	12/15/88	DE	G01S	11/00	X
	AP	GB2335323	09/15/99	GB	G01S	11/06	
	AQ	GB2311190	09/17/97	GB	H04B	5/00	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			